

**Local Government Mandate Statement  
Kentucky Legislative Research Commission  
2021 Regular Session**

**Part I: Measure Information**

Bill Request #: 1724

Bill #: HB 466

Document ID #: 4486

Bill Subject/Title: AN ACT relating to assault on a service animal.

Sponsor: Representative Mark Hart

Unit of Government:  City  County  Urban-County  
Unified Local  
 Charter County  Consolidated Local  Government

Office(s) Impacted: Local jails and law enforcement

Requirement:  Mandatory  Optional

Effect on  
Powers & Duties:  Modifies Existing  Adds New  Eliminates Existing

**Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government**

**The fiscal impact of HB 466 on local law enforcement and jails is minimal.** The Act amends KRS 525.200 to **remove the exemption of assistance dogs from the definition of a service dog.** The Act effectively **makes assault on a service dog a Class D felony.** Thus, there could be some increase in Class D felony incarcerations. The costs associated with Class D felony incarcerations are described below.

When a court denies bail to a Class D felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of Kentucky's 77 full service jails or three life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an average cost to incarcerate of \$37.35, which includes the \$31.34 per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. Upon sentencing, a Class D felon is housed in one of Kentucky's full service jails for the duration of his or her sentence. The Department of Corrections pays a jail \$31.34 per day to house a Class D felon. The per diem may be less than, equal to, or greater than the actual housing cost.

**Part III: Differences to Local Government Mandate Statement from Prior Versions**

The Part II section above pertains to the bill as Introduced.

**Data Source(s):** Kentucky Sheriffs Association; Kentucky Association of Chiefs of Police;  
Kentucky Association of Jailers; Kentucky Department of Corrections

**Preparer:** H. Marks **Reviewer:** KHC **Date:** 2/11/21